

By: Maureen L. Forsyth  
**Maureen L. Forsyth**  
**Executive Officer**

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Attorney General of California  
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8 *Attorneys for Complainant*

10 **BEFORE THE**  
11 **PHYSICIAN ASSISTANT BOARD**  
12 **DEPARTMENT OF CONSUMER AFFAIRS**  
**STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 950-2016-000964

14 **JOHN ANDREW REID, P.A.**  
15 **4750 Lincoln Boulevard #146**  
**Marina del Rey, CA 90292-6981**

**STIPULATED SURRENDER OF  
LICENSE AND DISCIPLINARY ORDER**

16 **Physician Assistant License No. PA 22374,**  
17 **Respondent.**

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Maureen L. Forsyth (Complainant) is the Executive Officer of the Physician Assistant  
23 Board (Board). She brought this action solely in her official capacity and is represented in this  
24 matter by Xavier Becerra, Attorney General of the State of California, by Christine A. Rhee,  
25 Deputy Attorney General.

26 2. John Andrew Reid, P.A. (Respondent) is represented in this proceeding by attorney  
27 Ronald Talmo, Esq., whose address is 1202 S. Ross Street, Santa Ana, CA 92707.

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3. On or about July 5, 2012, the Physician Assistant Board issued Physician Assistant License No. PA 22374 to John Andrew Reid, P.A. (Respondent). Physician Assistant License No. PA 22374 was in full force and effect at all times relevant to the charges and allegations brought in Accusation No. 950-2016-000964, and will expire on July 31, 2018, unless renewed.

## JURISDICTION

4. On May 15, 2017, Accusation No. 950-2016-000964 was filed against Respondent before the Board. A true and correct copy of Accusation No. 950-2016-000964 and all other statutorily required documents were properly served on Respondent on May 15, 2017. Respondent timely filed his Notice of Defense contesting the Accusation. A true and correct copy of Accusation No. 950-2016-000964 is attached hereto as Exhibit A and incorporated by reference as if fully set forth herein.

## ADVISEMENT AND WAIVERS

5. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 950-2016-000964. Respondent also has carefully read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of License and Disciplinary Order.

6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Having the benefit of counsel, Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 950-2016-000964, agrees that cause exists for discipline, and hereby surrenders his Physician Assistant License No. PA 22374 for the Board's formal acceptance.

9. Respondent understands that by signing this stipulation he enables the Board to issue an order accepting the surrender of his Physician Assistant License without further process.

## CONTINGENCY

10. This Stipulated Surrender of License and Disciplinary Order shall be subject to approval of the Board. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be submitted to the Board for its consideration in the above-entitled matter and, further, that the Board shall have a reasonable period of time in which to consider and act on this Stipulated Surrender of License and Disciplinary Order after receiving it. By signing this stipulation, Respondent fully understands and agrees that he may not withdraw his agreement or seek to rescind this stipulation prior to the time the Board considers and acts upon it.

11. The parties agree that this Stipulated Surrender of License and Disciplinary Order shall be null and void and not binding upon the parties unless approved and adopted by the Board, except for this paragraph, which shall remain in full force and effect. Respondent fully understands and agrees that in deciding whether or not to approve and adopt this Stipulated Surrender of License and Disciplinary Order, the Board may receive oral and written communications from its staff and/or the Attorney General's Office. Communications pursuant to this paragraph shall not disqualify the Board, any member thereof, and/or any other person from future participation in this or any other matter affecting or involving Respondent. In the event that the Board does not, in its discretion, approve and adopt this Stipulated Surrender of License and Disciplinary Order, with the exception of this paragraph, it shall not become effective, shall be of no evidentiary value whatsoever, and shall not be relied upon or introduced in any disciplinary action by either party hereto. Respondent further agrees that should this Stipulated Surrender of License and Disciplinary Order be rejected for any reason by the Board, Respondent will assert no claim that the Board, or any member thereof, was prejudiced by its/his/her review, discussion and/or consideration of this Stipulated Surrender of License and Disciplinary Order or of any matter or matters related hereto.

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5. Respondent shall pay the agency its costs of investigation and enforcement in the amount of \$5,706.00 prior to issuance of a new or reinstated license.

6. If Respondent should ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in Accusation No. 950-2016-000964 shall be deemed to be true, correct, and fully admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

## ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Disciplinary Order, and have fully discussed it with my attorney, Ronald Talmo, Esq. I understand the stipulation and the effect it will have on my Physician Assistant License. I enter into this Stipulated Surrender of License and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Physician Assistant Board.

**DATED:**

10/10/17

**JOHN ANDREW REID, P.A.**  
*Respondent*

I have read and fully discussed with Respondent John Andrew Reid, P.A., the terms and conditions and other matters contained in this Stipulated Surrender of License and Disciplinary Order. I approve its form and content.

**DATED:**

10/10/17

RONALD TALMO, ESQ.  
*Attorney for Respondent*

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**ENDORSEMENT**

The foregoing Stipulated Surrender of License and Disciplinary Order is hereby respectfully submitted for consideration by the Physician Assistant Board of the Department of Consumer Affairs.

Dated: 10/10/17.

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
ALEXANDRA M. ALVAREZ  
Supervising Deputy Attorney General



CHRISTINE A. RHEE  
Deputy Attorney General  
*Attorneys for Complainant*

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**Exhibit A**

**Accusation No. 950-2016-000964**



FILED  
STATE OF CALIFORNIA  
MEDICAL BOARD OF CALIFORNIA  
SACRAMENTO May 15 2017  
BY Robin Fitzgerald ANALYST

1 XAVIER BECERRA  
Attorney General of California  
2 ALEXANDRA M. ALVAREZ  
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10 **BEFORE THE**  
11 **PHYSICIAN ASSISTANT BOARD**  
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**STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No. 950-2016-000964

14 **JOHN ANDREW REID, P.A.**  
4750 Lincoln Boulevard  
15 Marina del Rey, CA 90292-6981

**A C C U S A T I O N**

16 **Physician Assistant License No. PA 22374,**

17 Respondent.

18  
19 Complainant alleges:

20 **PARTIES**

21 1. Maureen L. Forsyth (Complainant) brings this Accusation solely in her official  
22 capacity as the Executive Officer of the Physician Assistant Board, Department of Consumer  
23 Affairs.

24 2. On or about July 5, 2012, the Physician Assistant Board issued Physician Assistant  
25 License No. PA 22374 to John Andrew Reid, P.A. (Respondent). Physician Assistant License  
26 No. PA 22374 was in full force and effect at all times relevant to the charges brought herein and  
27 will expire on July 31, 2018, unless renewed.

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**JURISDICTION**

3. This Accusation is brought before the Physician Assistant Board (Board), under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 3527 of the Code states:

“(a) The board may order the denial of an application for, or the issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition of probationary conditions upon a physician assistant license after a hearing as required in Section 3528 for unprofessional conduct which includes, but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the board or the Medical Board of California.

“(b) The board may order the denial of an application for, or the suspension or revocation of, or the imposition of probationary conditions upon, an approved program after a hearing as required in Section 3528 for a violation of this chapter or the regulations adopted pursuant thereto.

“...”

5. Section 3528 of the Code states:

“Any proceedings involving the denial, suspension or revocation of the application for licensure or the license of a physician assistant, the application for approval or the approval of a supervising physician, or the application for approval or the approval of an approved program under this chapter shall be conducted in accordance with Chapter 5 (commencing with Section 11500) of Part I of Division 3 of Title 2 of the Government Code.”

6. Section 2227 of the Code states:

“(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered

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1 into a stipulation for disciplinary action with the board, may, in accordance with the  
2 provision of this chapter:

3 “(1) Have his or her license revoked upon order of the board.

4 “(2) Have his or her right to practice suspended for a period not to exceed one  
5 year upon order of the board.”

6 “(3) Be placed on probation and be required to pay the costs of probation  
7 monitoring upon order of the board.

8 “(4) Be publicly reprimanded by the board. The public reprimand may include a  
9 requirement that the licensee complete relevant educational courses approved by the  
10 board.

11 “(5) Have any other action taken in relation to discipline as part of an order of  
12 probation, as the board or an administrative law judge may deem proper.

13 “(b) Any matter heard pursuant to subdivision (a), except for warning letters,  
14 medical review or advisory conferences, professional competency examinations,  
15 continuing education activities, and cost reimbursement associated therewith that are  
16 agreed to with the board and successfully completed by the licensee, or other matters  
17 made confidential or privileged by existing law, is deemed public, and shall be made  
18 available to the public by the board pursuant to Section 803.1.”

19 7. Section 2234 of the Code, in pertinent part, states:

20 “The board shall take action against any licensee who is charged with  
21 unprofessional conduct. In addition to other provisions of this article, unprofessional  
22 conduct includes, but is not limited to, the following:

23 “(a) Violating or attempting to violate, directly or indirectly, assisting in or  
24 abetting the violation of, or conspiring to violate any provision of this chapter.

25 “...”

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1       8.    Section 2238 of the Code states:

2               “A violation of any federal statute or federal regulation or any of the statutes or  
3 regulations of this state regulating dangerous drugs or controlled substances constitutes  
4 unprofessional conduct.”

5       9.    Section 2239, subdivision (a), of the Code states, in pertinent part:

6               “(a) The use or prescribing for or administrative to himself or herself, of any  
7 controlled substance; or the use of any of the dangerous drugs specified in Section  
8 4022, or of alcoholic beverages, to the extent, or in such a manner as to be dangerous  
9 or injurious to the licensee, or to any other person or to the public, or to the extent that  
10 such use impairs the ability of the licensee to practice medicine safely or more than one  
11 misdemeanor or any felony involving the use, consumption, or self-administration of  
12 any of the substances referred to in this section, or any combination thereof, constitutes  
13 unprofessional conduct...

14               “...”

15       10.   Health and Safety Code section 11350, subdivision (a) states:

16               “Except as otherwise provided in this division, every person who possesses (1)  
17 any controlled substance specified in subdivision (b) or (c), or paragraph (1) of  
18 subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of  
19 subdivision (d) of Section 11054, or specified in subdivision (b) or (c) of Section  
20 11055, or specified in subdivision (h) of Section 11056... shall be punished by  
21 imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code.”

22       11.   Health and Safety Code section 11054 states, in pertinent part:

23               “(a) The controlled substances listed in this section are included in Schedule I.

24               “...”

25               “(f) Unless specifically excepted or unless listed in another schedule, any  
26 material, compound, mixture, or preparation which contains any quantity of the  
27 following substances having a stimulant effect on the central nervous system, including  
28 its isomers:



1 alcoholic beverages to the extent, or in such a manner, as to be dangerous or injurious to himself,  
2 another person, or the public, as more particularly alleged hereinafter:

3 15. On or about March 13, 2016, at approximately 0645 hours, San Diego Deputy  
4 Sheriffs found Respondent in a secured area of the San Diego Central Jail on the 10<sup>th</sup> floor.  
5 Deputies detained Respondent and took him to the first floor staff entrance for questioning.

6 16. Deputy N.G. questioned Respondent and observed that Respondent spoke with  
7 slurred speech and the odor of alcohol was emanating from his breath. Deputy N.G. also  
8 observed that Respondent had difficulty walking in a straight line and stumbled from side to side.  
9 Respondent was unable to answer questions as to how he entered the jail.

10 17. Respondent was arrested for a violation of Penal Code section 647, subdivision (f),  
11 for being drunk in public. In a search incident to arrest, Deputy N.G. found a small black metallic  
12 container on Respondent's person that contained a white powdery substance.

13 18. Deputy N.G. tested the white powdery substance with a NIK type "G" test kit, and the  
14 substance tested presumptively positive for cocaine.

15 19. Deputy N.G. admonished Respondent and Respondent stated the following:  
16 Respondent lives in Los Angeles and was in San Diego with friends. Respondent had been  
17 drinking the night before, but could not remember where he went. Respondent was unable to  
18 recall when he entered the jail or where he went once he gained access. Respondent refused to  
19 answer any questions about the container of cocaine that was found in his pocket.

20 20. On or about March 13, 2016, Respondent was arrested for the following: (1)  
21 possession of a controlled substance, a violation of Health and Safety Code section 11350,  
22 subdivision (a); (2) possession of controlled substance paraphernalia, a violation of Health and  
23 Safety Code section 11364; (3) drunk in public, a violation of Penal Code section 647,  
24 subdivision (f); and (4) trespassing, a violation of Penal Code section 602.

25 21. On or about April 14, 2016, a San Diego County Sheriff's Department Regional  
26 Crime Laboratory report confirmed that the white powdery substance found in Respondent's  
27 pocket was cocaine.

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1       22. On or about April 2, 2016, a misdemeanor complaint was filed in *The People of the*  
2 *State of California v. John Andrew Reid*, San Diego Superior Court Case No. M215847, charging  
3 Respondent with one count of a violation of Health and Safety Code section 11350, subdivision  
4 (a), a misdemeanor.

5       23. On or about January 24, 2017, Respondent pleaded no contest in *The People of the*  
6 *State of California v. John Andrew Reid*, San Diego Superior Court Case No. M215847. As a  
7 part of his no contest plea, Respondent admitted the following: "In San Diego, I possessed a  
8 controlled substance, to wit: cocaine in a usable amount." Respondent was granted a deferred  
9 entry in judgment for 18 months pursuant to Penal Code section 1000. As a part of the agreement  
10 for a deferred entry of judgment, Respondent was ordered to attend self-help meetings as  
11 directed, submit to a drug test at any time, remain law abiding in all aspects, and successfully  
12 complete a drug program pursuant to Penal Code section 1000, subdivision (c).

13       24. On or about March 21, 2017, Respondent was interviewed by Investigator A.M. from  
14 the Division of Investigations Health Quality Enforcement Unit, in San Diego, California.  
15 During the interview, Respondent admitted to ingesting cocaine on or about March 12, 2016.  
16 Respondent also admitted to using cocaine two other times, one time prior to his arrest in San  
17 Diego and one time following his arrest on New Year's in or around December 2016.

18       25. As of April 3, 2017, in *The People of the State of California v. John Andrew Reid*,  
19 San Diego Superior Court Case No. M215847, Respondent failed to provide documentation to the  
20 Superior Court showing that Respondent enrolled in a drug program, and as a result, the Court  
21 issued a bench warrant for \$5,000.

22                   **SECOND CAUSE FOR DISCIPLINE**  
23                   **(Violation of State Statutes Regulating Controlled Substances)**

24       26. Respondent has further subjected his Physician Assistant License No. PA 22374 to  
25 disciplinary action under sections 3527, 2227 and 2234, as defined by section 2238, of the Code,  
26 in that Respondent violated state statutes regulating controlled substances, as more particularly  
27 alleged in paragraphs 15 through 25, above, which is hereby incorporated by reference and  
28 realleged as if fully set forth herein.

**THIRD CAUSE FOR DISCIPLINE**  
**(General Unprofessional Conduct)**


27. Respondent has further subjected his Physician Assistant License No. 22374 to disciplinary action under sections 3527, 2227 and 2234, of the Code, in that he has engaged in conduct which breaches the rules or ethical code of the medical profession, or conduct which is unbecoming to a member in good standing of the medical profession, and which demonstrates an unfitness to practice medicine, as more particularly alleged in paragraphs 15 through 26, above, which is hereby incorporated by reference and realleged as if fully set forth herein.

**PRAYER**

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Physician Assistant Board issue a decision:

1. Revoking or suspending Physician Assistant License No. PA 22374, issued to Respondent John Andrew Reid, P.A.;
2. Ordering Respondent John Andrew Reid, P.A., to pay the Physician Assistant Board the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and, if placed on probation, the costs of probation monitoring; and
3. Taking such other and further action as deemed necessary and proper.

DATED: May 15, 2017

  
MAUREEN L. FORSYTH  
Executive Officer  
Physician Assistant Board  
State of California  
Complainant

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